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Attorneys for Defendants  
Tile, Inc. and Life360, Inc.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

SHANNON IRELAND-GORDY and  
STEPHANIE IRELAND GORDY,  
individually and on behalf of all others  
similarly situated,

Plaintiffs,

TILE, INC., LIFE360, INC., and  
AMAZON.COM, INC.,

## Defendants.

Case No. 3:23-CV-04119-RFL

**STIPULATION AND [PROPOSED]  
ORDER AS MODIFIED SETTING  
BRIEFING SCHEDULE AND  
CONTINUING INITIAL CASE  
MANAGEMENT CONFERENCE**

Date Action Filed: 08/14/2023

## **STIPULATION**

2 Pursuant to Civil Local Rules 6-2 and 7-12, Plaintiffs Shannon Ireland-Gordy and Stephanie  
3 Ireland Gordy (“Plaintiffs”) and Defendants Tile, Inc. (“Tile”), Life360, Inc. (“Life360”), and  
4 Amazon.com, Inc. (“Amazon”) (collectively, “the Parties”), by and through their respective  
5 counsel, hereby agree and stipulate that good cause exists to request an order from the Court setting  
6 Plaintiffs’ deadline to amend their complaint, setting a briefing schedule for Defendants’  
7 anticipated motions in response, and continuing the Initial Case Management Conference, as set  
8 out below.

9 WHEREAS, on August 14, 2023, Plaintiffs filed a putative class action lawsuit against  
10 Life360, Tile, and Amazon (ECF No. 1, the “Complaint”);

11 WHEREAS, the Parties previously stipulated and the Court ordered that Defendants'  
12 deadline to respond to the Complaint be vacated to allow the Parties to attempt early, private  
13 mediation (ECF 26);

14 WHEREAS, the Parties previously stipulated and the Court ordered that if mediation was  
15 unsuccessful, the Parties would submit an agreed-upon schedule for the case, if such agreement  
16 could be reached (ECF No. 26);

17 WHEREAS, per the Parties' stipulation, the Court continued the Initial CMC to March 13,  
18 2024 (ECF No. 26);

19 WHEREAS, the Parties participated in private mediation on January 25, 2024 but did not  
20 reach a mutually-agreeable resolution of Plaintiffs' claims and therefore submit this jointly  
21 proposed schedule;

22 WHEREAS, Plaintiffs plan to amend their Complaint (the “Amended Complaint”);

23 WHEREAS, in a case involving similar claims brought by counsel for Plaintiffs, *Hughes*  
24 *et. al., v. Apple, Inc.*, 3:22-cv-07668-VC (“*Hughes*”), the defendant has filed a motion to dismiss,  
25 which was briefed and heard, and is awaiting decision by a different department of this Court (the  
26 “*Hughes Order*”);

27 WHEREAS, Plaintiffs believe there is significant efficiency to be gained by waiting for the  
28 *Hughes* Order before amending their Complaint in this action, so that such amendment can reflect

1 the guidance provided in that order;

2 WHEREAS, the Parties agree that the deadline for Plaintiffs to amend their Complaint  
3 should therefore be set to follow the issuance of the *Hughes* Order; and

4 WHEREAS, the Parties also agree that it will save substantial Party and Court resources to,  
5 thereafter, resolve any motion to compel arbitration that Defendants may file (a “Motion to Compel  
6 Arbitration”) based on the Amended Complaint before briefing any motions to dismiss on other  
7 grounds, given that a Motion to Compel Arbitration may obviate the need for such other motions  
8 to dismiss, if granted.

9 NOW THEREFORE, the Parties, by and through their respective undersigned counsel,  
10 hereby stipulate and agree that:

11 1. Plaintiffs’ deadline to amend their Complaint is six weeks from the date of the  
12 *Hughes* Order.

13 2. Defendants’ deadline to respond to the Amended Complaint, whether by filing a  
14 Motion to Compel Arbitration, filing a motion to dismiss, or otherwise, whatever Defendants elect  
15 (the “Initial Motion”), is six weeks from the date of the Amended Complaint.

16 3. Plaintiffs’ deadline to file any opposition to the Initial Motion (the “Opposition”) is  
17 four weeks from the date the Initial Motion is due.

18 4. Defendants’ deadline to file any reply to the Opposition is three weeks from date  
19 the Opposition is due.

20 5. The Parties will confer and follow the Court’s procedure for noticing a hearing date  
21 for the Initial Motion.

22 6. If the Defendants’ Initial Motion is a Motion to Compel Arbitration, then the  
23 Defendants will not concurrently be required to file a motion to dismiss the Amended Complaint  
24 on other bases. In this event, the Defendants’ deadline to respond to the Amended Complaint,  
25 including to move to dismiss on any basis other than arbitrability, such as under Rule 12(b), will  
26 be four weeks after any order denying (or granting only in part) the Motion to Compel Arbitration  
27 in a manner that allows the action to move forward in this Court.

28 7. The Initial CMC is hereby continued and will be reset to coincide with the hearing

1 on the Initial Motion or at another date convenient for the Court (the “Continued Initial CMC”).

2       8. The Parties’ various, interim deadlines that are dependent on the date of the Initial  
3 Case Management Conference (e.g., deadlines to file a joint CMC statement, exchange initial  
4 disclosures, etc.) shall be reset based on the date of the Continued Initial CMC.

5 **IT IS SO STIPULATED.**

6  
7 Dated: February 27, 2024

COOLEY LLP

9 By: /s/ Jeffrey M. Gutkin  
10 Jeffrey M. Gutkin

11 Attorneys for Defendants  
12 Tile, Inc. and Life360, Inc.

13 Dated: February 27, 2024

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1 Dated: February 27, 2024

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12 Attorneys for Defendant Amazon.com,  
13 Inc.

14 \* \* \*

15 **ATTESTATION**

16 Pursuant to Civil Local Rule 5-1(i)(3) regarding signatures, I, Jeffrey M. Gutkin, hereby  
17 attest that concurrence in the filing of this document has been obtained.

18 Dated: February 27, 2024

19 /s/ Jeffrey M. Gutkin  
20 Jeffrey M. Gutkin

21 \* \* \*

22 **[PROPOSED] ORDER AS MODIFIED**

23 The initial Case Management Conference set for March 13, 2024 is vacated.

24 The parties shall file a joint status report by April 15, 2024 regarding whether the *Hughes*  
25 order has issued.

26 PURSUANT TO STIPULATION, IT IS SO ORDERED.

27 Dated: February 29, 2024

28   
29 HON. RITA F. LIN  
30 UNITED STATES DISTRICT JUDGE